

Memorandum

Southeastern Economic Development Corporation

DATE ISSUED:

October 16, 2007

Report No. SEDC 07-011

T 619.527.7345 F 619.262.9845 www.sedcinc.com

ATTENTION:

Honorable Chair and Members of the Redevelopment Agency

Council President and City Council

Docket of October 30, 2007

SUBJECT:

Under the Provisions of Senate Bill 1045 (SB1045) -One year extension of the time limits for the effectiveness of the Central Imperial, Central Imperial 2 & 3, Southcrest, Gateway Center West and Mount Hope Redevelopment Plans and; Under the Provisions of Senate Bill 1096 (SB1096) - Additional two year extension of the time limits for the effectiveness of the Gateway Center West and Mount

Hope Redevelopment Plans

### REQUESTED ACTION:

- 1. Should the Redevelopment Agency (Agency) under the provisions of SB1045 recommend to the City Council adoption of ordinances extending by one year the time limits for the effectiveness of the Central Imperial, Central Imperial 2 & 3, Southcrest, Gateway Center West and Mount Hope Redevelopment Plans and the date all debt must be repaid to receive tax increment; and under the SB1096 recommend to the City Council adoption ordinances extending additional year of the time limits for the effectiveness of the Gateway Center West and Mount Hope Redevelopment Plans and the date all debt must be repaid to receive tax increment?
- 2. Should the City Council under the provisions of SB1045 adopt ordinances extending by one year the time limits for the effectiveness of the Central Imperial, Central Imperial 2 & 3, Southcrest, Gateway Center West and Mount Hope Redevelopment Plans and the date all debt must be repaid to receive tax increment; and under the SB1096 recommend to the City Council adoption ordinances extending additional year of the time limits for the effectiveness of the Gateway Center West and Mount Hope Redevelopment Plans and the date all debt must be repaid to receive tax increment?

## STAFF RECOMMENDATION TO THE REDEVELOPMENT AGENCY:

That the Redevelopment Agency recommends to the City Council adoption of ordinances extending by one year the time limits for the effectiveness of the Central Imperial, Central Imperial 2 & 3, Southcrest, Gateway Center West and Mount Hope Redevelopment Plans and the date all debt must be repaid to receive tax increment; and under the SB1096 recommend to the City Council adoption ordinances extending additional year of the time limits for the effectiveness of the Gateway Center West and Mount Hope Redevelopment Plans and the date all debt must be repaid to receive tax increment.

For the Agenda of October 30, 2007 City Council/Redevelopment Agency Page 2 of 3

#### STAFF RECOMMENDATION TO THE CITY COUNCIL:

That the City Council adopt ordinances extending by one year the time limits for the effectiveness of the Central Imperial, Central Imperial 2 & 3, Southcrest, Gateway Center West and Mount Hope Redevelopment Plans and the date all debt must be repaid to receive tax increment; and under the SB1096 recommend to the City Council adoption ordinances extending additional year of the time limits for the effectiveness of the Gateway Center West and Mount Hope Redevelopment Plans and the date all debt must be repaid to receive tax increment.

#### SUMMARY:

In September 2003, SB1045 was passed which mandated a \$135 million statewide funding shift in fiscal year 2003-04 from redevelopment agencies to the Educational Revenue Augmentation Fund (ERAF) to balance the State Budget. To offset the loss of tax increment revenue diverted to ERAF, the bill included a provision allowing agencies to adopt by ordinance one year extensions of redevelopment plans and the date all debt must be repaid to receive tax increment.

Additionally, on August 5, 2004, SB1096 was passed which provided up to 2 years additional extension, for ERAF payments made in FY 2004-05 and FY 2005-06. To qualify for the 2 years extension, under SB 1096, the Redevelopment Plan's effective life would have to be less than 20 years from the 2004-05 and 2005-06 ERAF payments. Hence, Gateway Center West and Mount Hope Project Area Plans qualify for the additional two -year extension. The amendment in Mount hope where it has a surety in lieu of a cashfunded debt service reserve, the extra 3 years are attractive to the bond insurers who would look to tax increment to reimburse for a draw on the surety reserve.

Approval of the requested actions would extend the time limits of the effectiveness of the redevelopment plans and the dates all debt must be paid as shown in the following table:

Project Area	Current Time	Time Extended Time		Current	Extended
•	Limit for	Limit for		Time Limit	Time Limit
	Effectiveness	Effectiveness		to Repay All	to Repay
	of Plan	of Plan	9	Debt	All Debt
Central Imperial	2032	2033		2042	2043
Central Imperial - 2	2026	2027	*	2041	2042
Central Imperial - 3	2030	2031	14.0	2045	2046
Gateway Center West	2016	2019	1	2026	2029
Southcrest	2026	2027		2036	2037
Mount Hope	2022	2025		2032	2035

There is no assurance that in the future the Legislature will eliminate the Agency's ability to extend the time limits of the effectiveness of the redevelopment plans. By proceeding to adopt the ordinances today, the Agency is protected from any possible legislative changes in the future that will preclude the Project Areas to receive additional tax increment to pay debt.

For the Agenda of October 30, 2007 City Council/Redevelopment Agency Page 3 of 3

## FISCAL CONSIDERATIONS

None with this action.

## PREVIOUS COUNCIL ACTIONS:

On April 4, 2006 the City Council approved an ordinance to extend the time limits of the effectiveness of the Centre City and Horton Plaza Project Areas. Additionally, on June 20, 2006 the City Council approved ordinances to extend the time limit of the effectives of the Barrio Logan, City Heights, College Grove, College Community, Naval Training Center, North Bay, North Park and San Ysidro Redevelopment Plans.

Submitted by

Dante Dayacap

Director of Finance

Approved

Carolyn Y. Smith

President

CYS:eb

	REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO  1. CERTIFICATE NUMBER (for auditor's use only)											
TO:		2. FROM: (ORIGINATING DEPARTMENT)						•	3. DATE			
CITY							October 1, 2007					
1					ral Imp	perial, Gate	way Ce	enter V	Vest, N	Iount Hope Re	edevelopment Pro	ject Areas
(Comp	anion to R	ledevelop	ment Ag	gency)	_							
5. Prima	ry Contact: (	(Name, Phoi	ne & Mail	Sta.) 6. Seconds	ary Cont	act (Name, Pho	ne & Mai	Sta.)	7. Che	ck BOX if REPORT	Γ TO COUNCIL IS ATT	ACHED [
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	8. COMPLETE FOR ACCOUNTING PURPOSES							<b></b>				
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2	Deputy Direc Redevelopm		Janes			10/08/07	10	City At	torney	Hustor Carlyle	Ref	10/16/07
3	Deputy Chie Officer	f Operating	Bill Ar	Agron /	_	18/9/17	11	Origina Departr		Dante Dayagap	Danson	פלרנלפו
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11. PRE	11. PREPARATION OF: ☐ RESOLUTION(S) ☐ ORDINANCE(S) ☐ AGREEMENT(S) ☐ DEED(S)											
That the City Council under the provisions of SB1045l adopt ordinances extending by one year the time limits for the effectiveness of the Central Imperial, Central Imperial 2 & 3, Southcrest, Gateway Center West and Mount Hope Redevelopment Plans and the date all debt must be repaid to receive tax increment; and under the SB1096 recommend to the City Council adoption ordinances extending additional year of the time limits for the effectiveness of the Gateway Center West and Mount Hope Redevelopment Plans and the date all debt must be repaid to receive tax increment.												
DOCK	ET OF:	Octob	er 30, 2	007								
lla. STA	AFF RECOM			. N								
Approve the Ordinance(s).												
			FER TO	A.R. 3.20 FOR INFO	ORMAT	ION ON COM	PLETING	THIS SI	ECTION.	.)		
Council District(s): Fourth and Eight Community Planning Area(s): Southeastern San Diego												
	Environmental Impact:  Continuity Flaming 7 Medo7.  Environmental Impact:  Continuity Flaming 7 Medo7.  This activity is not a project and therefore is exempt from CEAQ pursuant to the State Guidelines Section 15060(c)(3)					te						
	Housing Impact: Other Issues:  None Please send copies of the resolutions to Evelyn Bell, MS 68, when complete.											
EA-1472 (REV										,		



#### EXECUTIVE SUMMARY SHEET

Southeastern Economic Development Corporation

DATE ISSUED:

October 16, 2007

Report No. SEDC 07-011

ATTENTION:

Honorable Chair and Members of the Redevelopment Agency

Council President and City Council

ORIGINATING DEPARTMENT:

Southeastern Economic Development Corporation

T 619.527.7345 F 619.262.9845 www.sedcinc.com

SUBJECT:

Under the Provisions of Senate Bill 1045 (SB1045) -One year extension of the time limits for the effectiveness of the Central Imperial, Central Imperial 2 & 3, Southcrest, Gateway Center West and Mount Hope

Redevelopment Plans and; Under the Provisions of Senate Bill 1096 (SB1096) - Additional two year extension of the time limits for the effectiveness of the

Gateway Center West and Mount Hope Redevelopment Plans

COUNCIL DISTRICT(S)

Fourth and Eight

SEDC CONTACT:

Carolyn Y. Smith, President

#### REQUESTED ACTION

- 1. Should the Redevelopment Agency (Agency) under the provisions of SB1045 recommend to the City Council adoption of ordinances extending by one year the time limits for the effectiveness of the Central Imperial, Central Imperial 2 & 3, Southcrest, Gateway Center West and Mount Hope Redevelopment Plans and the date all debt must be repaid to receive tax increment; and under the SB1096 recommend to the City Council adoption ordinances extending additional year of the time limits for the effectiveness of the Gateway Center West and Mount Hope Redevelopment Plans and the date all debt must be repaid to receive tax increment?
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STAFF RECOMMENDATION TO THE REDEVELOPMENT AGENCY: Adopt the resolutions

STAFF RECOMMENDATION TO THE CITY COUNCIL: Adopt ordinances as recommended above.

#### SUMMARY:

In September 2003, SB1045 was passed which mandated a \$135 million statewide funding shift in fiscal year 2003-04 from redevelopment agencies to the Educational Revenue Augmentation Fund (ERAF) to balance the State Budget. To offset the loss of tax increment revenue diverted to ERAF, the bill included a provision allowing agencies to adopt by ordinance one year extensions of redevelopment plans and the date all debt must be repaid to receive tax increment. Additionally, on August 5, 2004, SB1096 was passed which provided up to 2 years additional extension, for ERAF payments made in FY 2004-05 and FY 2005-06. To qualify for the 2 years extension, under SB 1096, the Redevelopment Plan's effective life would have to be less than 20 years from the 2004-05 and 2005-06 ERAF payments. Hence, Gateway Center West and Mount Hope Project Area Plans qualify for the additional

**QOO 1.70**For the Agenda of October 30, 2007
Executive Summary
Page 2 of 2

two-year extension. The amendment in Mount Hope where it has a surety in-lieu of a cash-funded debt service reserve, the extra 3 years are attractive to the bond insurers who would look to tax increment to reimburse for a draw on the surety reserve.

Approval of the requested actions would extend the time limits of the effectiveness of the redevelopment plans and the dates all debt must be paid

#### CONCLUSION

There is no assurance that in the future the Legislature will eliminate the Agency's ability to extend the time limits of the effectiveness of the redevelopment plans. By proceeding to adopt the ordinances today, the Agency is protected from any possible legislative changes in the future that will preclude the Project Areas to receive additional tax increment to pay debt.

### FISCAL CONSIDERATION

None with this action.

#### PREVIOUS COUNCIL ACTIONS

On April 4, 2006 the City Council approved an ordinance to extend the time limits of the effectiveness of the Centre City and Horton Plaza Project Areas. Additionally, on June 20, 2006 the City Council approved ordinances to extend the time limit of the effectives of the Barrio Logan, City Heights, College Grove, College Community, Naval Training Center, North Bay, North Park and San Ysidro Redevelopment Plans.

#### COMMUNITY PARTICIPATION & PUBLIC OUTREACH EFFORTS

Notification to the affected taxing agencies and public noticing will be completed at least 20 days before the adoption date of Ordinances extending by one year the time limits for the effectiveness of the Central Imperial, Central Imperial 2 & 3, Southcrest, Gateway Center West and Mount Hope Redevelopment Plans and the date all debt must be repaid to receive tax increment; and under the SB1096 the City Council adoption Ordinances extending additional year of the time limits for the effectiveness of the Gateway Center West and Mount Hope Redevelopment Plans and the date all debt must be repaid to receive tax increment.

#### KEY STAKEHOLDERS

All affected taxing agencies.

Submitted/Approved by

Carolyn Y. Smith

President

CYS:eb

Attachment – Ordinances and Resolutions – SEDC's Redevelopment Project Areas

(0-2008-41) 330 (COR.COPY) 10/30

ORDINANCE NUMBER O	(NEW SERIES)
DATE OF FINAL PASSAGE	

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, AMENDING THE REDEVELOPMENT PLAN FOR THE GATEWAY CENTER WEST REDEVELOPMENT PROJECT AREA EXTENDING THE PLAN EFFECTIVENESS DEADLINE, REPAYMENT OF INDEBTEDNESS DEADLINE AND TAX INCREMENT RECEIPT DEADLINE.

WHEREAS, on November 17, 1976, the Council of the City of San Diego, California [City Council] adopted Ordinance No.O-11950 (New Series), on file in the office of the City Clerk as Document No. O-11950, approving and adopting a Redevelopment Plan for the Gateway Center West Redevelopment Project Area; and

WHEREAS, on February 27, 1984, the City Council amended O-11950 (New Series) and adopted ordinance No. O-16172; and

WHEREAS, on January 20, 1995, the City Council adopted Ordinance No. O-18123 (New Series) amending the Plan to establish time limits in conformance with section 33333.6 of the California Community Redevelopment Law [CRL] Health and Safety Code section 33000 et seq.; and

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to carry out in the City of San Diego the functions and requirements of the CRL and to implement redevelopment plans for the City of San Diego [City]; and

WHEREAS, California Health and Safety Code Section 33333.6 applies to every redevelopment plan adopted on or before December 31, 1993; and

WHEREAS, the Redevelopment Plan for the Gateway Center West Redevelopment Project Area was adopted on or before December 31, 1993; and

WHEREAS, pursuant to California Health and Safety Code Section 33333.6(a), the Redevelopment Plan contains a time limit for effectiveness of the Redevelopment Plan for the Gateway Center West Redevelopment Project Area; and

WHEREAS, pursuant to California Health and Safety Code Section 33333.6(b), the Redevelopment Plan contains a time limit for the payment of indebtedness and receipt of property taxes for the Gateway Center West Redevelopment Project Area; and

WHEREAS, the California State Legislature has enacted SB 1045, making various amendments to the CRL, California Health and Safety Code Section 33000 *et seq.* which was chaptered as Chapter 260 and became effective on September 2, 2003; and

WHEREAS, Health and Safety Code Section 33333.6(e)(2)(C), as amended by SB1045, provides that when an agency is required to make a payment pursuant to California Health and Safety Code Section 33681.9, the legislative body may amend the redevelopment plan to extend the time limits required pursuant to subdivisions (a) and (b) of California Health and Safety Code Section 33333.6 by one year by adoption of an ordinance, without the necessity of compliance with California Health and Safety Code Section 33354.6 or Article 12 of the Community Redevelopment Law (commencing with Section 33450) or any other provision relating to amendments including, but not limited to, the requirement to make payments to affected taxing entities required by California Health and Safety Code Section 3; and

WHEREAS, the Agency was required to make a payment to the Educational Revenue Augmentation Fund (ERAF) pursuant to California Health and Safety Code Section 33681.9; and 3607.7; and

WHEREAS, the Health and Safety Code Section 33333.6(e)(2)(D)(i)(ii), as amended by SB 1096, when an agency is required pursuant to Section 33681.12 to make a payment to the

county auditor for deposit in the county's Educational Revenue Augmentation Fund (ERAF), the legislative body may amend the redevelopment plan to extend the time limits required pursuant to subdivisions (a) and (b) for one year for each in which a payment is made if both of the following apply: the time line for the effectiveness of the redevelopment plan established pursuant to subdivision (a) is more than 10 years but less than 20 years from the last day of the fiscal year in which a payment is made and the agency is in compliance with Section 33334.2 or 33334.6, as applicable, has adopted an implementation plan in accordance with the requirements of Section 33490, is in compliance with subdivisions (a) and (b) of Section 33413, and is not subject sanctions pursuant to subdivision (e) of Section 33334.12 for failure to expend, encumber or disburse an excess surplus; and

WHEREAS, the Agency was required to make a payment to the ERAF pursuant to Section 33681.12.; and

WHEREAS, the Agency and the Council of the City of San Diego desire to extend by three years the time limit on the effectiveness of the Redevelopment Plan for the Gateway Center West Redevelopment Project Area and receiving property taxes for the Gateway Center West Redevelopment Project Area; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

- Section 1. That the Council hereby finds and determines that all of the foregoing recitals are true and correct.
- Section 2. That in accordance with California Health and Safety Code Section 33333.6(e)(2)(C) and Section 33333.6(e)(2)(D) (i) (ii) and not withstanding any other provision in the Redevelopment Plan, the City Council hereby amends the Redevelopment Plan for the

Gateway Center West Redevelopment Project Area as stated herein by adoption of this Ordinance, and establishes the following limitations:

- a. <u>Plan Effectiveness</u>. The term of plan effectiveness for the Gateway

  Center West Redevelopment Project Area shall expire on November 17, 2019
- b. Repayment of Indebtedness: Receipt of Property Taxes. Subject to the provisions of paragraphs (g) and (h) of Section 33333.6 of the California Health and Safety Code, no indebtedness shall be repaid from the division and allocation of taxes to the Agency from the Gateway Center West Redevelopment Project Area beyond ten years from the date of termination of the effectiveness of the Redevelopment Plan for the Gateway Center West Redevelopment Project Area or November 17, 2029.
- Section 3. That the limitations established by this Ordinance may only be amended in the manner required and to the extent permitted by law.
- Section 4. That the City Clerk is hereby ordered and directed to certify the passage of this Ordinance and to cause the same to be published in a newspaper of general circulation, published and circulated in the City of San Diego.
- Section 5. That if any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.
- Section 6. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 7. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attor	rney
By Huston Carlyle Chief Deputy City Attorney	
HC:efq 10/08/07 10/25/07 COR.COPY	
Or.Dept:SEDC O-2008-41 R.A.:Companion RA-2008-36	
MMS#5420	
I hereby certify that the foregoing Ordinance was policing, at this meeting of	assed by the Council of the City of San
	ELIZABETH S. MALAND. City Clerk
	By Deputy City Clerk
Approved:(date)	JERRY SANDERS, Mayor
Vetoed:(date)	JERRY SANDERS, Mayor

ORDINANCE NUMBER O	(NEW SERIES)
DATE OF FINAL PASSAGE _	

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, AMENDING THE REDEVELOPMENT PLAN FOR THE MOUNT HOPE REDEVELOPMENT PROJECT AREA EXTENDING THE PLAN EFFECTIVENESS DEADLINE, REPAYMENT OF INDEBTEDNESS DEADLINE AND TAX INCREMENT RECEIPT DEADLINE.

WHEREAS, on November 22, 1982, the Council of the City of San Diego, California [City Council] adopted Ordinance No.O-15862 (New Series), on file in the office of the City Clerk as Document No. O-15862, approving and adopting a Redevelopment Plan for the Mount Hope Redevelopment Project Area; and

WHEREAS, on November 28, 1994, the City Council adopted Ordinance No. O-18127 (New Series) amending the Plan to establish time limits in conformance with section 33333.6 of the California Community Redevelopment Law [CRL] Health and Safety Code section 33000 et seq.; and

WHEREAS, on November 22, 1999, the City Council adopted Ordinance No. O-18725 (New Series) amending the time limits in the Redevelopment Plan for the Mount Hope Redevelopment Project in accordance with Health and Safety Code section 33333.6; and

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to carry out in the City of San Diego the functions and requirements of the CRL and to implement redevelopment plans for the City of San Diego [City]; and

WHEREAS, California Health and Safety Code Section 33333.6 applies to every redevelopment plan adopted on or before December 31, 1993; and

WHEREAS, the Redevelopment Plan for the Mount Hope Redevelopment Project Area was adopted on or before December 31, 1993; and

WHEREAS, pursuant to California Health and Safety Code Section 33333.6(a), the Redevelopment Plan contains a time limit for effectiveness of the Redevelopment Plan for the Mount Hope Redevelopment Project Area; and

WHEREAS, pursuant to California Health and Safety Code Section 33333.6(b), the Redevelopment Plan contains a time limit for the payment of indebtedness and receipt of property taxes for the Mount Hope Redevelopment Project Area; and

WHEREAS, the California State Legislature has enacted SB 1045, making various amendments to the CRL, California Health and Safety Code Section 33000 *et seq*. which was chaptered as Chapter 260 and became effective on September 2, 2003; and

WHEREAS, Health and Safety Code Section 33333.6(e)(2)(C), as amended by SB1045, provides that when an agency is required to make a payment pursuant to California Health and Safety Code Section 33681.9, the legislative body may amend the redevelopment plan to extend the time limits required pursuant to subdivisions (a) and (b) of California Health and Safety Code Section 33333.6 by one year by adoption of an ordinance, without the necessity of compliance with California Health and Safety Code Section 33354.6 or Article 12 of the Community Redevelopment Law (commencing with Section 33450) or any other provision relating to amendments including, but not limited to, the requirement to make payments to affected taxing entities required by California Health and Safety Code Section 3; and

WHEREAS, the Agency was required to make a payment to the Educational Revenue Augmentation Fund (ERAF) pursuant to California Health and Safety Code Section 33681.9; and 3607.7;

WHEREAS, the Health and Safety Code Section 33333.6(e)(2)(D)(i)(ii), as amended by SB 1096, when an agency is required pursuant to Section 33681.12 to make a payment to the county auditor for deposit in the county's Educational Revenue Augmentation Fund (ERAF), the legislative body may amend the redevelopment plan to extend the time limits required pursuant to subdivisions (a) and (b) for one year for each in which a payment is made if both of the following apply: the time line for the effectiveness of the redevelopment plan established pursuant to subdivision (a) is more than 10 years but less than 20 years from the last day of the fiscal year in which a payment is made and the agency is in compliance with Section 33334.2 or 33334.6, as applicable, has adopted an implementation plan in accordance with the requirements of Section 33490, is in compliance with subdivisions (a) and (b) of Section 33413, and is not subject sanctions pursuant to subdivision (e) of Section 33334.12 for failure to expend, encumber or disburse an excess surplus; and

WHEREAS, the Agency was required to make a payment to the ERAF pursuant to Section 33681.12; and

WHEREAS, the Agency and the Council of the City of San Diego desire to extend by three years the time limit on the effectiveness of the Redevelopment Plan for the Mount Hope Redevelopment Project Area and receiving property taxes for the Mount Hope Redevelopment Project Area; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Council hereby finds and determines that all of the foregoing recitals are true and correct.

Section 2. That in accordance with California Health and Safety Code Section 33333.6(e)(2)(C) and Section 33333.6(e)(2)(D) (i) (ii) and not withstanding any other provision

- in the Redevelopment Plan, the City Council hereby amends the Redevelopment Plan for the Mount Hope Redevelopment Project Area as stated herein by adoption of this Ordinance, and establishes the following limitations:
- a. <u>Plan Effectiveness</u>. The term of plan effectiveness for the Mount Hope Redevelopment Project Area shall expire on November 22, 2025.
- b. Repayment of Indebtedness: Receipt of Property Taxes. Subject to the provisions of paragraphs (g) and (h) of Section 33333.6 of the California Health and Safety Code, no indebtedness shall be repaid from the division and allocation of taxes to the Agency from the Mount Hope Redevelopment Project Area beyond ten years from the date of termination of the effectiveness of the Redevelopment Plan for the Mount Hope Redevelopment Project Area or November 22, 2035.
- Section 3. That the limitations established by this Ordinance may only be amended in the manner required and to the extent permitted by law.
- Section 4. That the City Clerk is hereby ordered and directed to certify the passage of this Ordinance and to cause the same to be published in a newspaper of general circulation, published and circulated in the City of San Diego.
- Section 5. That if any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.
- Section 6. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 7. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED ANGUARIA AGAMPARA	~
APPROVED: MICHAEL J. AGUIRRE, (	City Attorney
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By Allul	
Huston Carlyle	
Chief Deputy City Attorney	
HC:cfq ()	
10/08/07 Or.Dept:SEDC	
O-2008-42	
R.A.:Companion RA-2008-37	
MMS#5420	•··
hereby certify that the foregoing Ordinan Diego, at this meeting of	ce was passed by the Council of the City of Sa
Jiego, at this meeting of	- <del></del>
	ELIZABETH S. MALAND
	City Clerk
	By
	Deputy City Clerk
Approved:(date)	JERRY SANDERS, Mayor
()	
Vetoed:	
(date)	JERRY SANDERS, Mayor

ORDINANCE NUMBER O			
DATE OF FINAL BASSACE			
DATE OF FINAL PASSAGE			

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, AMENDING THE REDEVELOPMENT PLAN FOR THE SOUTHCREST REDEVELOPMENT PROJECT AREA EXTENDING THE PLAN EFFECTIVENESS DEADLINE, REPAYMENT OF INDEBTEDNESS DEADLINE AND TAX INCREMENT RECEIPT DEADLINE.

WHEREAS, on April, 14, 1986, the Council of the City of San Diego, California [City Council] adopted Ordinance No.O-16622 (New Seiries), on file in the office of the City Clerk as Document No. O-16622, approving and adopting a Redevelopment Plan for the Southcrest Redevelopment Project Area; and

WHEREAS, on November 28, 1994, the City Council adopted Ordinance No. O-18128 (New Series) amending the Plan to establish time limits in conformance with section 33333.6 of the California Community Redevelopment Law [CRL] Health and Safety Code section 33000 et seq.; and

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to carry out in the City of San Diego the functions and requirements of the CRL and to implement redevelopment plans for the City of San Diego [City]; and

WHEREAS, California Health and Safety Code Section 33333.6 applies to every redevelopment plan adopted on or before December 31, 1993; and

WHEREAS, the Redevelopment Plan for the Southcrest Redevelopment Project Area was adopted on or before December 31, 1993; and

WHEREAS, pursuant to California Health and Safety Code Section 33333.6(a), the Redevelopment Plan contains a time limit for effectiveness of the Redevelopment Plan for the Southcrest Redevelopment Project Area; and

WHEREAS, pursuant to California Health and Safety Code Section 33333.6(b), the Redevelopment Plan contains a time limit for the payment of indebtedness and receipt of property taxes for the Southcrest Redevelopment Project Area; and

WHEREAS, the California State Legislature has enacted SB 1045, making various amendments to the CRL, California Health and Safety Code Section 33000 *et seq.* which was chaptered as Chapter 260 and became effective on September 2, 2003; and

WHEREAS, Health and Safety Code Section 33333.6(e)(2)(C), as amended by SB1045, provides that when an agency is required to make a payment pursuant to California Health and Safety Code Section 33681.9, the legislative body may amend the redevelopment plan to extend the time limits required pursuant to subdivisions (a) and (b) of California Health and Safety Code Section 33333.6 by one year by adoption of an ordinance, without the necessity of compliance with California Health and Safety Code Section 33354.6 or Article 12 of the Community Redevelopment Law (commencing with Section 33450) or any other provision relating to amendments including, but not limited to, the requirement to make payments to affected taxing entities required by California Health and Safety Code Section 3; and

WHEREAS, the Agency was required to make a payment to the Educational Revenue Augmentation Fund (ERAF) pursuant to California Health and Safety Code Section 33681.9; and 3607.7; and

WHEREAS, the Agency and the Council of the City of San Diego desire to extend by one year the time limit on the effectiveness of the Redevelopment Plan for the Southcrest

Redevelopment Project Area and receiving property taxes for the Southcrest Redevelopment Project Area; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

- Section 1. That the Council hereby finds and determines that all of the foregoing recitals are true and correct.
- Section 2. That in accordance with California Health and Safety Code Section 33333.6(e)(2)(C) and not withstanding any other provision in the Redevelopment Plan, the City Council hereby amends the Redevelopment Plan for the Southcrest Redevelopment Project Area as stated herein by adoption of this Ordinance, and establishes the following limitations:
- a. <u>Plan Effectiveness</u>. The term of plan effectiveness for the Southcrest Redevelopment Project Area shall expire on April 14, 2027.
- b. Repayment of Indebtedness: Receipt of Property Taxes. Subject to the provisions of paragraphs (g) and (h) of Section 33333.6 of the California Health and Safety Code, no indebtedness shall be repaid from the division and allocation of taxes to the Agency from the Southcrest Redevelopment Project Area beyond ten years from the date of termination of the effectiveness of the Redevelopment Plan for the Southcrest Redevelopment Project Area or April 14, 2037.
- Section 3. That the limitations established by this Ordinance may only be amended in the manner required and to the extent permitted by law.
- Section 4. That the City Clerk is hereby ordered and directed to certify the passage of this Ordinance and to cause the same to be published in a newspaper of general circulation, published and circulated in the City of San Diego.

Section 5. That if any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

Section 6. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 7 That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

Huston Carlyle

Chief Deputy City Attorney

HC:cfq 10/08/07

Or.Dept:SEDC

O-2008-43

R.A.: Companion RA-2008-38

MMS#5420

ORDINANCE NUMBER O-	(NEW SERIES)
<del></del>	
DATE OF FINAL PASSAGE	

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, AMENDING THE REDEVELOPMENT PLAN FOR THE CENTRAL IMPERIAL REDEVELOPMENT PROJECT AREA EXTENDING THE PLAN EFFECTIVENESS DEADLINE, REPAYMENT OF INDEBTEDNESS DEADLINE AND TAX INCREMENT RECEIPT DEADLINE.

WHEREAS, on September 14, 1992, the Council of the City of San Diego, California [City Council] adopted Ordinance No.O-17891 (New Series) in the office of the City Clerk as Document No. O-17891 approving and adopting a Redevelopment Plan for the Central Imperial Redevelopment Project Area; and

WHEREAS, on November 22, 1999, the City Council adopted Ordinance No. O-18721 (New Series) amending the time limits in the Redevelopment Plan for the Central Redevelopment Project in accordance with Health and Safety Code section 33333.6; and

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to carry out in the City of San Diego the functions and requirements of the CRL and to implement redevelopment plans for the City of San Diego [City]; and

WHEREAS, California Health and Safety Code Section 33333.6 applies to every redevelopment plan adopted on or before December 31, 1993; and

WHEREAS, the Redevelopment Plan for the Central Imperial Redevelopment Project
Area was adopted on or before December 31, 1993; and

WHEREAS, pursuant to California Health and Safety Code Section 33333.6(a), the Redevelopment Plan contains a time limit for effectiveness of the Redevelopment Plan for the Central Imperial Redevelopment Project Area; and

WHEREAS, pursuant to California Health and Safety Code Section 33333.6(b), the Redevelopment Plan contains a time limit for the payment of indebtedness and receipt of property taxes for the Central Imperial Redevelopment Project Area; and

WHEREAS, the California State Legislature has enacted SB 1045, making various amendments to the CRL, California Health and Safety Code Section 33000 *et seq*. which was chaptered as Chapter 260 and became effective on September 2, 2003; and

WHEREAS, Health and Safety Code Section 33333.6(e)(2)(C), as amended by SB1045, provides that when an agency is required to make a payment pursuant to California Health and Safety Code Section 33681.9, the legislative body may amend the redevelopment plan to extend the time limits required pursuant to subdivisions (a) and (b) of California Health and Safety Code Section 33333.6 by one year by adoption of an ordinance, without the necessity of compliance with California Health and Safety Code Section 33354.6 or Article 12 of the Community Redevelopment Law (commencing with Section 33450) or any other provision relating to amendments including, but not limited to, the requirement to make payments to affected taxing entities required by California Health and Safety Code Section 3; and

WHEREAS, the Agency was required to make a payment to the Educational Revenue Augmentation Fund (ERAF) pursuant to California Health and Safety Code Section 33681.9; and 3607.7; and

WHEREAS, the Agency and the Council of the City of San Diego desire to extend by one year the time limit on the effectiveness of the Redevelopment Plan for the Central Imperial Redevelopment Project Area and receiving property taxes for the Central Imperial Redevelopment Project Area; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

- Section 1. That the Council hereby finds and determines that all of the foregoing recitals are true and correct.
- Section 2. That in accordance with California Health and Safety Code Section 33333.6(e)(2)(C) and not withstanding any other provision in the Redevelopment Plan, the City Council hereby amends the Redevelopment Plan for the Central Redevelopment Project Area as stated herein by adoption of this Ordinance, and establishes the following limitations:
- a. <u>Plan Effectiveness</u>. The term of plan effectiveness for the Central Imperial Redevelopment Project Area shall expire on September 14, 2033
- b. Repayment of Indebtedness: Receipt of Property Taxes. Subject to the provisions of paragraphs (g) and (h) of Section 33333.6 of the California Health and Safety Code, no indebtedness shall be repaid from the division and allocation of taxes to the Agency from the Central Imperial Redevelopment Project Area beyond ten years from the date of termination of the effectiveness of the Redevelopment Plan for the Central Imperial Redevelopment Project Area or September 14, 2043.
- Section 3. That the limitations established by this Ordinance may only be amended in the manner required and to the extent permitted by law.
- Section 4. That the City Clerk is hereby ordered and directed to certify the passage of this Ordinance and to cause the same to be published in a newspaper of general circulation, published and circulated in the City of San Diego.
- Section 5. That if any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

000 <b>19</b> 0 Section 6.	That a full reading of this ordinance is dispensed with prior to its final
passage, a written	or printed copy having been available to the City Council and the public a day
prior to its final pa	ssage.
Section 7.	That this ordinance shall take effect and be in force on the thirtieth day from

and after its final passage. APPROVED: MICHAEL J. AGUIRRE, City Attorney By Huston Carlyle Chief Deputy City Attorney HC:crq 10/08/07 Or.Dept:SEDC O-2008-44 R.A.:Companion RA-2008-39 MMS#5420 I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_. ELIZABETH S. MALAND City Clerk Deputy City Clerk JERRY SANDERS, Mayor

JERRY SANDERS, Mayor

ORDINANCE NUMBER O-	(NEW SERIES)
DATE OF FINAL PASSAGE	

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, AMENDING THE REDEVELOPMENT PLAN FOR THE CENTRAL IMPERIAL 2 REDEVELOPMENT PROJECT AREA EXTENDING THE PLAN EFFECTIVENESS DEADLINE, REPAYMENT OF INDEBTEDNESS DEADLINE AND TAX INCREMENT RECEIPT DEADLINE.

WHEREAS, on September 14, 1992, the Council of the City of San Diego, California [City Council] adopted Ordinance No.O-17831 (New Series), on file in the office of the City Clerk as Document No. O-17831 approving and adopting a Redevelopment Plan for the Central Imperial Redevelopment Project Area; and

WHEREAS, on December 10, 1996, the Council of the City of San Diego, California

[City Council] adopted Ordinance No.O-18367 (New Series), on file in the office of the City

Clerk as Document No. O-18367 approving and adopting the second amendment to the

Redevelopment Plan for the Central Imperial Redevelopment Project Area providing for the

addition of the new territory to the project area also known as Central Imperial 2 Redevelopment

Project Area; and

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to carry out in the City of San Diego the functions and requirements of the CRL and to implement redevelopment plans for the City of San Diego [City]; and

WHEREAS, pursuant to California Health and Safety Code Section 33333.6(a), the Redevelopment Plan contains a time limit for effectiveness of the Redevelopment Plan for the Central Imperial 2 Redevelopment Project Area; and

00 WHEREAS, pursuant to California Health and Safety Code Section 33333.6(b), the Redevelopment Plan contains a time limit for the payment of indebtedness and receipt of property taxes for the Central Imperial 2 Redevelopment Project Area; and

WHEREAS, the California State Legislature has enacted SB 1045, making various amendments to the CRL, California Health and Safety Code Section 33000 et seq. which was chaptered as Chapter 260 and became effective on September 2, 2003; and

WHEREAS, Health and Safety Code Section 33333.6(e)(2)(C), as amended by SB1045, provides that when an agency is required to make a payment pursuant to California Health and Safety Code Section 33681.9, the legislative body may amend the redevelopment plan to extend the time limits required pursuant to subdivisions (a) and (b) of California Health and Safety Code Section 33333.6 by one year by adoption of an ordinance, without the necessity of compliance with California Health and Safety Code Section 33354.6 or Article 12 of the Community Redevelopment Law (commencing with Section 33450) or any other provision relating to amendments including, but not limited to, the requirement to make payments to affected taxing entities required by California Health and Safety Code Section 3; and

WHEREAS, the Agency was required to make a payment to the Educational Revenue Augmentation Fund (ERAF) pursuant to California Health and Safety Code Section 33681.9; and 3607.7; and

WHEREAS, the Agency and the Council of the City of San Diego desire to extend by one year the time limit on the effectiveness of the Redevelopment Plan for the Central Imperial 2 Redevelopment Project Area and receiving property taxes for the Central Imperial 2 Redevelopment Project Area; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

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- Section 1. That the Council hereby finds and determines that all of the foregoing recitals are true and correct.
- Section 2. That in accordance with California Health and Safety Code Section 33333.6(e)(2)(C) and not withstanding any other provision in the Redevelopment Plan, the City Council hereby amends the Redevelopment Plan for the Central Imperial 2 Redevelopment Project Area as stated herein by adoption of this Ordinance, and establishes the following limitations:
- a. <u>Plan Effectiveness</u>. The term of plan effectiveness for the Central Imperial 2 Redevelopment Project Area shall expire on December 10, 2027.
- b. Repayment of Indebtedness: Receipt of Property Taxes, Subject to the provisions of paragraphs (g) and (h) of Section 33333.6 of the California Health and Safety Code, no indebtedness shall be repaid from the division and allocation of taxes to the Agency from the Central Imperial 2 Redevelopment Project Area beyond fifteen years from the date of termination of the effectiveness of the Redevelopment Plan for the Central Imperial 2 Redevelopment Project Area or December 10, 2042.
- Section 3. That the limitations established by this Ordinance may only be amended in the manner required and to the extent permitted by law.
- Section 4. That the City Clerk is hereby ordered and directed to certify the passage of this Ordinance and to cause the same to be published in a newspaper of general circulation, published and circulated in the City of San Diego.
- Section 5. That if any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and the City

Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

Section 6. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 7. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED?∖MICHAEL J. AGUIRRE, City A	attorney
By Huston Carlyle Chief Deputy City Attorney	
HC:cfq 10/08/07 Or.Dept:SEDC O-2008-45 RA: Companion RA-2008-40 MMS#5420	
I hereby certify that the foregoing Ordinance was Diego, at this meeting of	es passed by the Council of the City of San  ELIZABETH S. MALAND
	City Clerk
	By Deputy City Clerk
Approved:	
(date)	JERRY SANDERS, Mayor
Vetoed:	
(date)	JERRY SANDERS, Mayor

(F)

000195

ORDINANCE NUMBER O	(NEW SERIES)	
	•	
DATE OF FINAL PASSAGI	E	

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, AMENDING THE REDEVELOPMENT PLAN FOR THE CENTRAL IMPERIAL 3 REDEVELOPMENT PROJECT AREA EXTENDING THE PLAN EFFECTIVENESS DEADLINE, REPAYMENT OF INDEBTEDNESS DEADLINE AND TAX INCREMENT RECEIPT DEADLINE.

WHEREAS, on September 14, 1992, the Council of the City of San Diego, California [City Council] adopted Ordinance No.O-17831 (New Series, on file in the office of the City Clerk as Document No. O-17831 approving and adopting a Redevelopment Plan for the Central Imperial Redevelopment Project Area; and

WHEREAS, on November 14, 2000, the Council of the City of San Diego, California

[City Council] adopted Ordinance No.O-18882 (New Series), on file in the office of the City

Clerk as Document No. O-18882 approving and adopting the third amendment to the

Redevelopment Plan for the Central Imperial Redevelopment Project Area providing for the

addition of the new territory to the project area also known as Central Imperial 3 Redevelopment

Project Area; and

WHEREAS, the Redevelopment Agency of the City of San Diego [Agency] is engaged in activities necessary to carry out in the City of San Diego the functions and requirements of the CRL and to implement redevelopment plans for the City of San Diego [City]; and

WHEREAS, pursuant to California Health and Safety Code Section 33333.6(a), the Redevelopment Plan contains a time limit for effectiveness of the Redevelopment Plan for the Central Imperial 3 Redevelopment Project Area; and

WHEREAS, pursuant to California Health and Safety Code Section 33333.6(b), the Redevelopment Plan contains a time limit for the payment of indebtedness and receipt of property taxes for the Central Imperial 3 Redevelopment Project Area; and

WHEREAS, the California State Legislature has enacted SB 1045, making various amendments to the CRL, California Health and Safety Code Section 33000 *et seq*. which was chaptered as Chapter 260 and became effective on September 2, 2003; and

WHEREAS, Health and Safety Code Section 33333.6(e)(2)(C), as amended by SB1045, provides that when an agency is required to make a payment pursuant to California Health and Safety Code Section 33681.9, the legislative body may amend the redevelopment plan to extend the time limits required pursuant to subdivisions (a) and (b) of California Health and Safety Code Section 33333.6 by one year by adoption of an ordinance, without the necessity of compliance with California Health and Safety Code Section 33354.6 or Article 12 of the Community Redevelopment Law (commencing with Section 33450) or any other provision relating to amendments including, but not limited to, the requirement to make payments to affected taxing entities required by California Health and Safety Code Section 3; and

WHEREAS, the Agency was required to make a payment to the Educational Revenue Augmentation Fund (ERAF) pursuant to California Health and Safety Code Section 33681.9; and 3607.7; and

WHEREAS, the Agency and the Council of the City of San Diego desire to extend by one year the time limit on the effectiveness of the Redevelopment Plan for the Central Imperial 3 Redevelopment Project Area and receiving property taxes for the Central Imperial 3 Redevelopment Project Area; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

- Section 1. That the Council hereby finds and determines that all of the foregoing recitals are true and correct.
- Section 2. That in accordance with California Health and Safety Code Section 33333.6(e)(2)(C) and not withstanding any other provision in the Redevelopment Plan, the City Council hereby amends the Redevelopment Plan for the Central Imperial 3 Redevelopment Project Area as stated herein by adoption of this Ordinance, and establishes the following limitations:
  - a. <u>Plan Effectiveness</u>. The term of plan effectiveness for the Central Imperial 3 Redevelopment Project Area shall expire on November 14, 2031
  - b. Repayment of Indebtedness: Receipt of Property Taxes. Subject to the provisions of paragraphs (g) and (h) of Section 33333.6 of the California Health and Safety Code, no indebtedness shall be repaid from the division and allocation of taxes to the Agency from the Central Imperial 3 Redevelopment Project Area beyond fifteen years from the date of termination of the effectiveness of the Redevelopment Plan for the Central Imperial 3 Redevelopment Project Area or November 14, 2046.
- Section 3. That the limitations established by this Ordinance may only be amended in the manner required and to the extent permitted by law.
- Section 4. That the City Clerk is hereby ordered and directed to certify the passage of this Ordinance and to cause the same to be published in a newspaper of general circulation, published and circulated in the City of San Diego.
- Section 5. That if any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and the City

Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

Section 6. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 7. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

from and after its final passage.	
APPROVED: MICHAEL J. AGUIRRE, Ci	ity Attomey
By Day	
Huston Carlyle Chief Deputy City Attorney	
HC:cfq 10/08/07 Or.Dept:SEDC	
O-2008-46	
RA.:Companion RA-2008-41 MMS#5420	
I hereby certify that the foregoing Ordinance Diego, at this meeting of	ee was passed by the Council of the City of San
	ELIZABETH S. MALAND City Clerk
	By Deputy City Clerk
Approved:(date)	JERRY SANDERS, Mayor
Vetoed:	<u> </u>
(date)	JERRY SANDERS, Mayor